

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION

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UNITED STATES OF AMERICA,  
Plaintiff,

vs.

LENO PEREA,  
Defendant.

MEMORANDUM DECISION AND  
ORDER ON COMPETENCY  
HEARING AND ORDER  
EXCLUDING TIME AND SETTING  
HEARING ON DEFENDANT'S  
MOTION TO SUPPRESS

Case No. 2:05-CR-234 TS

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On March 21, 2007, Defendant withdrew his previous request for an inquiry into his competency. The Court made its findings and conclusions on competency of record during the April 12, 2007 competency hearing, after which Defendant requested that his Motion to Suppress, which was reserved pending competency proceedings, be set for an evidentiary hearing. It is therefore

ORDERED that pursuant to 18 U.S.C. § 4241, the Court finds that Defendant is mentally competent to stand trial at this time. It is further

ORDERED THAT THE TIME FROM January 30, 2006 through April 12, 2007, is

excluded from the time in which trial must commence pursuant to 18 U.S.C. § 3161(h)(1), as delay resulting from proceedings, including examinations, to determine competency.


It is further

ORDERED that the time from April 12, 2007, through resolution of the Motion to Suppress is excluded from the time in which trial must commence pursuant to 18 U.S.C. §3161(h)(1)(F), as delay resulting from the pretrial Motion to Suppress. It is further

ORDERED that Defendant's Motion to Suppress is set for an evidentiary hearing on May 2, 2007, at 1:30 p.m.

DATED April 23, 2007.

BY THE COURT:

  
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TED STEWART  
United States District Judge